

**MINUTES - Asset Maintenance
Liaison Subcommittee Meeting #46**

**Friday, August 26, 2016
Go To Meeting**

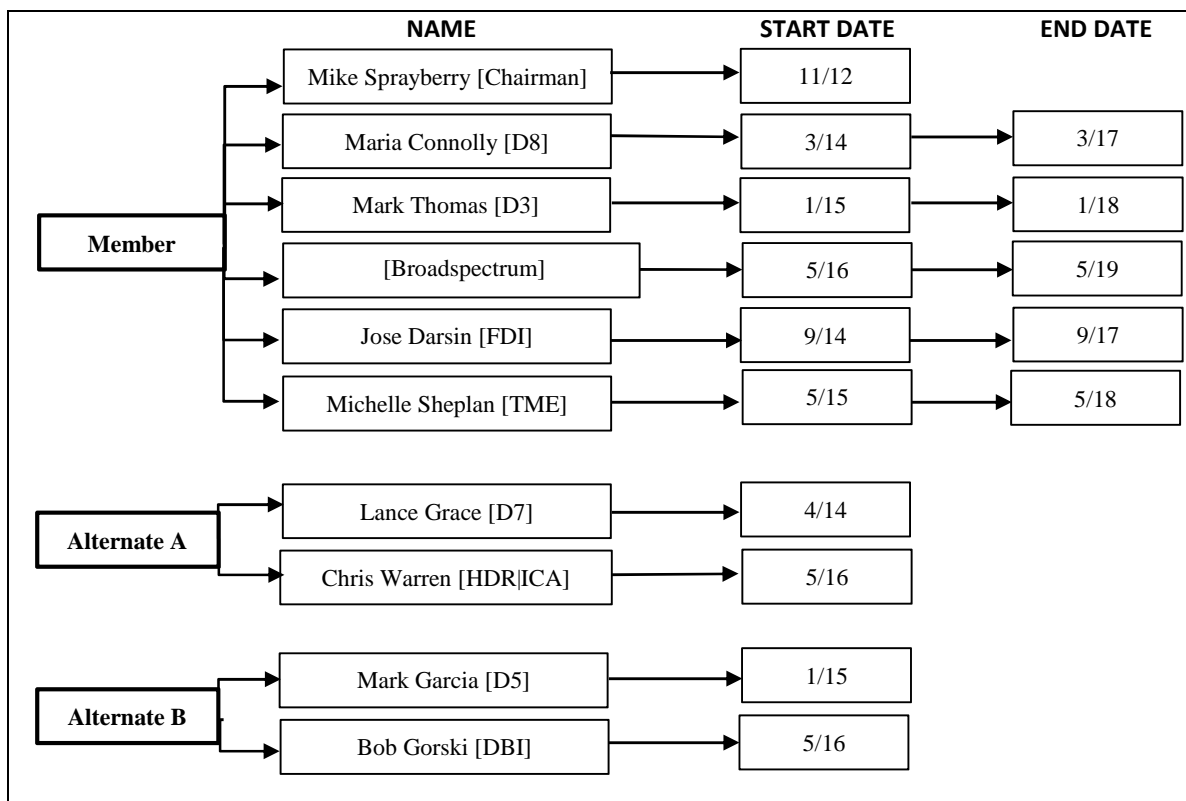
Team Purpose:

Members are to review, research, analyze, and discuss topics associated with the Department's Asset Maintenance Program. The Team will develop recommendations and make decisions for Program improvement or change.

Team Rules:

1. Discussion issues and agenda topics may come from any source and be brought to the subcommittee by a Team member.
2. The Subcommittee will meet monthly.
3. Before each Liaison Committee Meeting, the Team will prepare a summary document of the status of all issues discussed since the last Liaison Committee Meeting. This summary document will be circulated via e-mail to the frequent Liaison members prior to the Liaison meeting where the summary document will be discussed.
4. The Subcommittee shall be composed of the FDOT State Contracts Administrator (currently Mike Sprayberry) as lifetime Chairman plus 5 Team members (two from FDOT, three from industry). Team Member factions (Industry and FDOT) shall serve on the Subcommittee for a maximum of 3 years. Alternate Member factions have no term limit as an Alternate. FDOT members must be employed by FDOT and industry members must be employed by a company that has at least one active AM contract in Florida.
5. Each faction will assign a primary and secondary Alternate Member to step in for absent Members when needed. Alternates may attend the Subcommittee Meetings as silent participants.
6. Agendas will be circulated to the Alternates and all Members at least 48 hours before the meeting. Minutes will be circulated to the Alternates and all Members within 1 week of the end of the meeting.
7. If a Subcommittee Member plans to be absent from a Subcommittee Meeting, the Member must first attempt to contact an official Alternate Member of same faction as a replacement. If no alternate is available, the absent Member may send a delegate of his/her choosing. If no replacement has been identified by the time the meeting starts (or the Member was an unexpected no-show), a silent listening Alternate of either faction may substitute if available.

8. The Subcommittee has the authority to assemble task teams and sub-subcommittees that report to this Subcommittee and may assign tasks and projects to these bodies.
9. The rights to Membership and Alternate seats are held by Companies/Districts, not the individuals named. Thus, if an individual voluntarily resigns, that individual's Company/District may select another individual from same Company/District as a replacement to finish out the term of that seat. This does not apply if the individual is dismissed from the Subcommittee or reaches seat term limit; in that case, the Company/District loses their seat. Dismissal decisions shall be at FDOT Director of Maintenance and AMOTIA Director levels.
10. It is allowable to have guest listeners. Anyone may submit a request to the chairman to listen in on a particular meeting. The number of listeners that can be approved for any given meeting is line capacity minus 11. Request will be granted on first-come-first-serve. Listeners should be silent during meetings.



Mickie Salter [Broadspectrum] substituted for Paul Staton

Discussion Topics

1. "Encroachment Area" Agreement for Florida Gas Transmission (FGT)

Memorandum published and now a part of all AM Contracts.

<http://www.dot.state.fl.us/statemaintenanceoffice/Memos/DMEMemo16-02.pdf>

Link to all memo locations:

<http://www.dot.state.fl.us/statemaintenanceoffice/DMEmemos.shtm>

Remove from agenda.

Notes from previous meetings:

Memorandum has been approved by Utilities and indirectly legal. Send to industry again to be sure no comments. If not by time legal oks, go forward.

Memorandum has been drafted and approved by Rudy. May send out for DME/Industry review.

2. Review of Assignments

ACTIVITY 1 (Priority 3): The Team needs to research options related to evaluating MRP on non-traditional places (underpasses, bridges, ramps). Need to analyze if this could be done in normal way or with safer windshield-type surveys. Also, study if we should rely on points to fall randomly on these areas by simply including the areas within the population pool, or have a specific routine that generates X points in these areas.

Mike to summarize performance data from TX and send summary and full doc to team for review.

No progress.

ACTIVITY 2: Do we need a different Chairman process? Maybe possibly have a rotating or assignable chairman where Sprayberry is more of an overseer/moderator. Also, do we need Impeachment / replacement clause to dismiss a member?

Mike is to ask Rudy what he thinks about a Vice-Chair who can run the meeting.

ANSWER: Rudy said he wants Sprayberry to continue to be the chair and run the meetings as this is a Central Office function. No Vice-Chair.

Remove from agenda

Notes from previous meetings:

Mike should stay Chairman. If Vice-Chair idea goes forward, maybe have 1 year assignment of whomever the Subcommittee selects.

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Further discussion at DME meeting indicated the topic should not be only about Chairman, but apply to any member.

Some Chairman ideas presented:

- Chairman/overseer must be FDOT person.
- Maybe a rotation cycle where the most senior member rotates to Chairman when chairman term ends.
- Maybe make most senior member a Vice-chair of sorts. Sprayberry to speak with Rudy about this idea.

As for other team members, dismissal decision should be at the levels of FDOT Director of Maintenance and AMOTIA Director. This keeps this Team out of politics of such a necessary dismissal. This new rule has been added to rules above.

ACTIVITY 3: Discuss what do with the results of MRP shortcomings.



Summary of MRP
Shortcomings - Discus

The Team has now discussed all items – **Mike prepare final report and close.**

Mike also to recommend a few items to this Team that might need to go to MRP Team.

No progress.

ACTIVITY 4: Vacant

Log Document Created: All future Competed activities will be added to this log when removed from agenda.

Remove from agenda.

Notes from previous meetings:

Mark suggested some sort of log or retainage of each activity instead of removing and labeling “Vacant”. Mike thought it would be better in different doc if we do this.

NEW ACTIVITY 5: Conduct ongoing discussion on proper and fair notification of changes to policy/procedure/standards. Also involve Industry in the vetting and analyzing of those changes.

FDOT will include industry on reviews of such changes. We had discussion on when to send to Industry – during initial internal review or when the official formal review is circulated. 2 FDOT votes and 2 Industry votes for formal review, but make sure industry has enough time to prepare/react.

Team decides to provide changes to Industry at official formal review.

ACTIVITY 6 (Priority 1): Sprayberry is to analyze and condense the “other” requirements used by Districts on AM Contracts and present a report to the Team. First step is to prioritize. We should try to have 16 analyzed by next Liaison. For these recommendations, vet through AMOTIA (2 week review timeframe) before sending recommendation to Liaison.



All Districts - Other
Contractual Requirem

Remaining item of business is development of standard option language for Fate 2s.

The team asked for volunteers to try to develop the standard, optional performance language for each of the Fate 2s. The volunteers, along with their assigned topic are show here:



Fate 2s Olly With
Task Volunteers.xlsx

You can find more details in the Word file attached a few paragpahs below. That file has the original language that a District used in an AM Contract along with some SubCom notes on a few items.

Try to have write-up e-mailed to the SubCom within 2 weeks. SubCom Members should respond with “looks good” or “change this” and be prepared to discuss at next meeting.

Notes from previous meetings:

All FATE 1s have been placed in Scope that was sent out for review (except the MRP one which will be located in the Options, yet still appear in all AM contracts). Mike met with Rudy and all FATE 4s kept their status as we will not be allowing these topics to be placed into AM Contracts.

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Fate determinations were completed by this Team and have been presented to DMEs. Feedback from DMEs is shown below in Excel fill and will be discussed. We need to determine implementation plans and specifics to modifying language.



Review of All
Districts - Other Cor



AM Other Cont Req
FATES w DME input

Team, agrees exact wording from #8 MRP Points goes into scope. Other changes/note from original document are shown here:



Other Contractual
Requirements - FATE

ACTIVITY 7: Discuss standard AM Scope Performance Measures related to meeting policies and procedures and Tech Proposals. Also discuss related evaluation of performance on the AMPER.

Michelle sent Liaison Minutes and they did not specify when the changes will be made to AMPER.

Team chooses to go ahead and create AMPER 2.2 to incorporate this and a couple of other AMPER improvements. Kim from D3 has a few AMPER changes too.

Mike will send out notification to DMEs to submit AMPER changes because 2.2 is in the works.

Notes from previous meetings:

Await Liaison Committee Minutes from Michelle to confirm that we are going to wait until next natural update of AMPER to make this change. Some thought they remembered this, but we will confirm with minutes.

Michelle to send out minutes this week.

Discuss specifically what AMPER means by “non-RFP & non-Scope Docs” and the intent of “Mark this Indicator "Does Not Meet" even if the deficiency is reflected elsewhere in this AMPER”.

After discussion, the Team is proposing to change the AMPER language to what is red-lined below.

AM Scope language:

DEPARTMENT POLICIES AND PROCEDURES		
Deficiency Identification	Time Allowed/Criteria	Deduction
Violation of any Department procedures, policies, guides, or other contract document, excluding Technical Proposal	Immediately upon discovery of violation	\$1,000 per occurrence of violation
CONTRACTOR’S TECHNICAL PROPOSAL		
Deficiency Identification	Time Allowed/Criteria	Deduction

Deviating from any promises, guarantees, statements, claims, or other assurances made within the Contractor's original Technical Proposal	Immediately upon discovery of deviation	\$5,000 per occurrence of deviation
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AMPER Language:

TECHNICAL PROPOSAL COMPLIANCE

3	Contractor has adhered to all claims, promises, statements, guarantees and other assurances submitted in the Contractor's technical proposal.
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COMPLIANCE WITH RFP, SCOPE OF SERVICES, & ALL CONTRACT DOCUMENTS (except Technical Proposal)

3	Contractor is in compliance with all RFP, Scope of Services, Procedures, Specs, Manuals, Handbooks, and other Contracts Documents. If the deficiency was procedure-related, mark this Indicator "Does Not Meet" even if the deficiency is reflected elsewhere in this AMPER.
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Sprayberry will circulate this proposed AMPER change at DME meeting to get opinions and suggested action. We will present DME discussion to this Team in April meeting and also discuss when the change is to be made (release a new AMPER or wait until next scheduled release).

ACTIVITY 8: Sprayberry will investigate a possible Fed program involving sponsorship of interstates in researching is we can install "Blue Sign" indentifying "FDOT" and the AMC maintaining the road, along with contact numbers for AMC. Sprayberry to report on why would these signs be different than constriction signs that identify the contractor. Sharon warned that when speaking with Traffic Ops, do not use the phrase or call it "sponsorship" when talking about the "Blue Signs" identifying Maintenance responsibility.

No progress.

Notes from previous meetings:

Maria sent pics of ID sign.

I-75/Alligator alley (on D1 west side) has had a sign like this (with a phone #) for more than 7 years. DBI spoke with Sharon (D1) early on about this idea. **Check with Sharon. Check D4 presentation.**

Jim called, but Sprayberry has not yet gotten back in touch. Jim is having difficulty getting prices, so Todd suggested Sprayberry ask for ballpark figures.

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Bob spoke with Todd & IT department about the *FHP concept. There is a big cost difference to do 3 digit instead of 4 digit. Bob will get Jim from IT (vice president) to call Sprayberry to discuss.

<p><u>ACTIVITY 9 (Low Priority):</u> Incentive for Open Roads policy/opening lanes faster/maybe lanes usage reports.</p>

Mark Thomas was originally selected to spearhead a sub-subcommittee to investigate the idea of performance measures for Sufficiency Ratings or Element Rating (or other rating) on bridges. Maria volunteers Aran to lead this assignment instead of Mark Thomas.

When this sub-sub gets going, OOM Bridge section wants Richard Kerr and John Clark invited to first meeting so they can then determine which of them will be best to become a member. Also, we would like Jim Jacobson in D7 to be on team as well as to provide valuable insight and info.

We will move this item into a new Activity Slot

Notes from previous meetings:

Contacts have begun. Maria spoke with Aran and he had some really good ideas how we could incentivize with periodic maintenance that can extend bridge life.

Some ideas from Liaison Mark suggests tying incentive to Sufficiency Ratings on bridges (a single number per structure). May be difficult because Functionally Obsolete is a factor. Or could even have some performance measure for each Rating of each Element of a bridge. Maria volunteered Aran Lessard to be a member of sub-sub. Several in industry spoke up to say they would help and it is a good idea.

Jose further suggested an incentive idea for when 5 year inspection timeframe is required, yet AMC does it in 2.

Some ideas from Liaison:

- 5% bonus for exceeding performance measures (Texas)
- Base incentives on results from QA/QC program
- Base incentives on data reflecting reduced crashes for completed projects

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Jose presented his paper on RISC for AM and gave a great summary. Maria indicated working great on Turnpike. Mark thought difficult to control this since FHP controls when we are allowed to clear lanes. Incentive must be large to even consider. Overall does not seem feasible, but will keep open for future ideas.

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Brainstorming Ideas:

- Apply to timeliness of Guardrail and anything safety that has a time factor.
- Maybe apply a better-than-minimum MRP bonus for just the safety items like striping, RPMs, guardrail.
- Apply for increased response times for incidents – RISK has incentives for Opening Roads.

ACTIVITY 10: Sprayberry is to look through the AM Scope for performance measures that have per day deductions based on timeliness and convert to one-and-done deducts, or propose a change so that time is not counted for the period between when the Contractor claims work is complete and when the DOT discovers the work is not correct or complete (currently the clock runs straight through from claimed completion to DOT discovery). We may not need a change in cases where contractor can control such risk by performing work promptly, early, or proactively.

Mike to work on and be sure to recommend changes and ideas to this Group.

Notes from previous meetings:

Jose suggests we look at the “per occurrence/no time to cure” concept to see if it’s fair.

ACTIVITY 11: Analyze the possibility of a “startup mode” at contract beginning where we give AM Contractors an opportunity to get rolling/mobilized. This would be linked to no or reduced deductions for certain specific performance measures/activities at the very beginning of contract.

Jose suggested creating an AM Standard Option to identify certain activities that get a waiver for certain time.

Notes from previous meetings:

Mark mentioned District discretion could be used to give allowances for this. Mike & Michelle pointed out this may be inconsistent across Districts and could be inconsistent for bids.

Maybe roll converted activity from above (Review process for Implement Changes in policy and procedure) into this one – see if can combine.

By stating a “fix by this time” in Scope, that works well.

Paul gave good idea that this can be in Tech Proposal as best value.

Mark suggested maybe add section in RFP to describe how Bidders will handle mobilizing and starting up. Maybe add as a standard choice in RFP chart that the District can have option to check and assign point value to it.

Of the issues detailed below, the #2 issue (non-MRP performance measures) is by far most concerning. MRP not such big deal.

Bob sent existing baseline idea text from VA/GA/TX.

There are two issues here: 1) MRP is terrible at start of contract and there is no time to bring up to standard within one year to avoid deducts. 2) There are specific non-MRPish items that will take a few years to fix, but have immediate performance measures. Some notes on each issue:

- 1) Current procedure handles slightly in cases of offset MRP (can't do full 3 MRP cycles in the Fiscal Year), but no accommodation for poor baseline scores or for if all 3 MRP periods can be done. One idea is to compare failing scores to the pre-contract baseline to see if improvement of x% (or whatever) was made. Another is to just waive first year deducts and retainage.
- 2) Top idea is to do it like a recent AMC that outlined a known problem and the scope required that a target or standard must be met within a certain timeframe (3 years or 5 years or similar).

Michelle stated that she liked the #2 idea above as it was used in a recent AMC.

Bob volunteered to get existing baseline idea text from VA & maybe GA & maybe TX and provide to Mike to circulate before next meeting.

Jose suggested an incentive idea for when 5 year timeframe is required, yet AMC does it in 2.

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Not a good idea to give two years to get things in order - they at least need to show/demonstrate they are trying to get things in order.

Presented idea of waive all deducts for year 1 and in exchange, all deducts are double in last year. Very little response/comment on that idea. At least one industry did not like. An idea like this may tie into Activity 12 (handover requirement)

Good example is invasive species – give a planned time to resolve rather than expect it all done on day one. Mark suggests go ahead and levy all deducts as normal (as retainage) but offer a way to get refunded if complete by certain time.

Bob points out there are many things that could be substandard on day 1 that could result in substantial deducts.

Mike suggest maybe put section in RFP for bidders to give times to fix know issues, and this could be evaluated/rewarded by Tech Proposal evaluators.

Jose suggests this can be an incentive opportunity.

ACTIVITY 12: Analyze the concept of including an end of AM contract transition plan which may include a required end of contract condition state. This has been analyzed/discussed twice before with “do nothing” results. We will start by reviewing the old end-of-contract plan we had previously written.

Mike hears that this is becoming more and more of an issue. Would like for AMOTIA to discuss and identify cases where AM Contractors have neglected duties at end of contracts.

Industry presented some concern that End-of-contract (EOC) plan could be used to get lots of extra things done. A lot of thought has to be put into this before implementation.

Mike read (paraphrased) the proposed plan from 5/6 years ago. Industry pointed out that the idea of the old contractor sticking around beyond contract time is not good idea – Sprayberry pointed out DFS also would not like this either. This means if deficient project would be left as is with some consequences to old contractor for not meeting EOC criteria.

D4 used an idea where the RFP requires a write-up on how bidder would close out contract at end. To enhance this idea, the contract could maybe have unique consequence for failing to meet EOC plan proposed in RFP.

Maria favors withholding money of last year or two as a pot-o-money to give back at end if EOC is met.

An idea is to have the incoming contractor walk with FDOT to do EOC punch list.

Notes from previous meetings:

The previously developed plan basically held back a % of invoices for last two or so years of contract for a pot of money. Then at end of contract, if all things meet, give back to contractor. If not, give to next contractor. That was the idea – not sure if actually doable.

Maybe and added value opportunity. Some concerned we have no guarantee that area will left in good shape. Maria suggest a hold back of funds.

Mike sent old idea to the Team via e-mail.

ACTIVITY 13 (low priority): Resolve the issue of AM Contractors' responsibilities concerning special events. How can FDOT fairly create the requirements that AMC must "clean up" or "make especially aesthetically pleasing" or "perform extra cycles" in advance of special events or "handle MOT & execution" during the events?

No comments.

Notes from previous meetings:

This citizen input (in notes from previous meetings) was mentioned to FDOT Execs after they approached Office of Maintenance with a concern of Rest Area appearance during Holidays. Execs said they had not noticed such an issue with grass during Holidays so their concern was Rest Areas. Mike sent an e-mail out to Industry & DMEs & RESPECT to remind of consistent maintenance and encourage to take pride and to ensure they look very nice of next few Holidays even if must equip with extra materials and workers.

Input from a citizen: "Deduction of \$500 per mile for any section of roadway where grass is higher than 15 inches during a National Holiday weekend"

The issue is broken into two issues:

- a) Recurring, scheduled, know events. Examples include Bike Week, Spring Break, Strawberry Festival, and Jazz Festival.
- b) Unexpected, non-recurring, short time to prep event. Examples include Superbowl, Political Conferences, VIP Visits, and Campaign Speeches.

Mark mentioned AIMS (Authorized Imperative Maintenance Services) idea that has yet to be discussed / vetted. He briefly described the AIMS idea to the group. Basically it is a way for FDOT to pay AMC for something not really included in Scope, but we need to do it (like special event prep). Some of industry on Team expressed a like of the idea. Mike express some concern of possibility of it not being used properly/appropriately (like paying AMC for something that they should be doing anyway). Maria expressed concern that without this AIMS idea, it is hard for AMC to predict/bid events for next 7-10 years. Mark circulated the write-up of the AIMS idea to the Team.

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Area's Special Events to ensure that the asset is presentable (Superbowl or other Local Government/Department special events) - not MRP issue, but may be issue with AM – for

recurring type events, OOM will recommend to Districts to try to spell out in contract how event prep will be handled best they can. For special events, to be discussed.

3. Roundtable / Open Discussion

Mark Garcia – D5 thinking of putting out a contract for MOT (regular and emergency response). Should it be performance based or work doc driven? Work doc would be tricky to handle midnight emergencies but would work well for scheduled needs. Maybe contract could be a hybrid. Other states are starting to look at hybrid contracts. AMOTIA is looking into hybrid and may have some input on this topic. Atlanta has a type of hybrid MOT contract that includes Road rangers. Chris Warren will try to find copy and send to Mark Garcia.

Lance Grace – Scope calls for PE in responsible charge. How is industry handling that? TME said they treat as-needed – PE does not need to run job. Chris says their PE is on org chart. Mike pointed out that AM Scope language intends to say “must have a PE ready to action when needed, but does not need to be an employee” and “Project Manager (PM) has to be great and instill public confidence” but the PE & PM can be different folks.

ACTION: In AM Scope, split 2nd para of 1.4 into two to be clear the PM does not have to be PE.

Reminder for each SubCom member to review Mark’s QA/QC language within next 2 weeks and send him comments.

Notes from previous meeting:

Mark sent out QA/QC – everyone need to try to understand it, review it, and comment on it. Looks like a total rewrite, but it really is just better/more clearly worded.

New Memorandum being developed concerning Public Records laws applying to FDOT Contractors. Instead of public going straight to Contractors, they must work through FDOT, then FDOT goes to Contractors.

Where do we stand on QA/QC? That was a Fate 2. Mark Thomas rewrite/improvement of QA/QC language – says language is written, but table still in works. Mark will send draft language to Team for comments.

Some have noted inaccuracies of published Future Project list. Make accuracy and completeness of this document very important. Mention at DME meeting.

4. Next Subcommittee Meeting

Next Subcommittee meeting will be our Liaison prep meeting. It will be September 23rd at a DIFFERENT TIME = **10:30 am**.

850-414-4971

PIN:268411

5. Next Liaison Committee Meeting

To be held the morning of October 6th (from 8:00 to 12:00) (Broadspectrum has volunteered/been assigned to host and run and document the Liaison meeting). The DME meeting is last half 4th (starts @ 1:00) and all day 5th.

6. Next AMOTIA Meeting

The next AMOTIA meeting in Texas (Sept 28, 29, 30) will NOT be combined with Liaison meeting and DME meeting. Those will be held separately in Florida. We may be holding a face-to-face between Industry and Rudy Powell.